

Docket Item #4  
BZA CASE #2003-00053

Board of Zoning Appeals  
October 9, 2003

**ADDRESS:** 217 SOUTH ALFRED STREET  
**ZONE:** CL, COMMERCIAL LOW  
**APPLICANT:** STEPHEN AND EILEEN QUATANNENS, OWNERS

**ISSUE:** Variance to construct a two story rear addition in the required side yards.

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED VARIANCE
4-106 (A)(2)(a)	Side Yard (North)	8.00 ft	0.00 ft	8.00 ft
	Side Yard (South)	8.00 ft	0.00 ft	8.00 ft

**BOARD OF ZONING APPEALS ACTION OF OCTOBER 9, 2003:** On a motion to approve by Ms. Lyman, seconded by Mr. Koenig, the variance was approved by a vote of 6 to 0.

Reasons: A hardship was demonstrated due to the narrowness of the lot.

Speakers:

Stephen Quatannens, owner, made the presentation.

Jeanne M. Hauch, 219 South Alfred Street, spoke in opposition to the proposed addition, stating that granting the variance would have a negative impact on the aesthetic appeal of the block and consequently her property. She also raised concerns that the proposed addition alter water drainage patterns.



(insert sketch here)

**STAFF CONCLUSION:**

This property does meet the criteria for a variance.

**DISCUSSION:**

1. The applicants propose to (1) demolish a rear two-story addition and replace the prior addition with a larger two-story rear addition and (2) build a second story above an existing one-story building wing located on the south property line to the existing two-story brick residential building at 217 South Alfred Street.
2. The subject property is one lot of record with 21.17 feet of frontage on South Alfred Street and a depth of 100.00 feet. The property contains a total of 2,117 square feet.
3. The existing two-story building is located 1.20 feet from the front property line facing South Alfred Street, abuts the adjacent property along the north side property line, abuts the adjacent property along the north side property line and is approximately 73.00 feet from the rear property line. Real Estate Assessment records indicate the building was built in 1940. Off-street parking is provided at the rear of the property accessed from Irving Court.
4. The proposed improvements to the existing house consist of the following.
  - (a) Demolish an existing two-story rear addition measuring 13.50 feet by 9.00 feet.
  - (b) Construct a two-story rear addition in the location of the proposed demolished one-story rear addition measuring approximately 34.00 feet by 18.00 feet and totaling 872 net square feet in area. The overall height of the addition is 24.00 feet; it is 18.50 feet to the eave line of the addition's roof facing the south side property line. The new addition will accommodate a kitchen and family room on the first floor; a new study/bedroom, playroom, bathroom and closets on the second floor. The addition is located on the north side property line and 4.00 feet from the south side property line. A variance of 8.00 feet from the north and 4.00 feet from the south side property line is required.
  - (c) Construct a second-story addition above a one-story building wing located on the south side property line. The second-story addition measures 5.00 feet by 12.00 feet and will accommodate a new bedroom.. The new second story addition will be placed within less than 1.00 feet from the south side property line. A variance of 8.00 feet from the south side property line is required.
5. The additions will comply with open space, rear yard setback and floor area requirements.

6. On October 11, 2003, the Board granted a variance for a rear two-story addition in the required side yards, however the addition was never constructed.
7. On May 9, 2002, the Board granted a similar variance at 211 South Alfred Street for a rear two-story addition in the required side yards, (BZA # 2002-00036, attached).
8. This building is located in the Old and Historic Alexandria District and is under the jurisdiction of the Board of Architectural Review (BAR). Demolition of the rear section as well as the proposed new addition must be approved by the BAR.
9. Master Plan/Zoning: The subject property is currently zoned CL, commercial low and has been so zoned since 1992. The property is identified in the adopted King Street/Eisenhower Small Area Plan for commercial low land use.

**REQUESTED VARIANCES:**

Section 4-106 (A)(2)(a), Side Yard:

The CL zone requires a single-family dwelling to provide two minimum side yard setbacks of 8.00 feet or one-third the building height, whichever is greater. The proposed two-story rear addition is located on the north side property line and 4.00 feet from the south side property line; the proposed second-story addition at the front of the house is located on the south side property line and on the north side property line. A variance of 8.00 feet and 8.00 feet is requested for the proposed additions respectively.

**NONCOMPLYING STRUCTURE:**

The existing building at 217 South Alfred Street is a noncomplying structure with respect to the following:

	<u>Required</u>	<u>Provided</u>	<u>Noncompliance</u>
Side Yard (North)	8.00 ft	0.00 ft	8.00 ft
Side Yard (South)	8.00 ft	0.00 ft	8.00 ft

Front                      20.00 ft              1.20 ft              18.80 ft

**STAFF ANALYSIS UNDER CRITERIA OF SECTION 11-1113:**

1. Does strict application of the zoning ordinance result in undue hardship to the property owner amounting to a confiscation of the property, or prevent reasonable use of the property?

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The property's only unusual condition is that the lot is narrower than the 50.00 feet lot width required for each single-family dwelling in the CL zone; the lot is 21.17 feet wide. The CL zone also requires two 8.00 foot side yards for each single family dwelling. The resulting lot width dimension and side yard setbacks create an unreasonable restriction and effectively prohibit the use of the property, allowing only a 5.17 feet wide house.

2. Is the hardship identified above unique to the subject property, or is it shared by other properties in the neighborhood or the same zone?

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The fact that the side yards required by the zoning ordinance makes building a house on this CL zone lot impossible is a condition that applies to some properties in the same zone being used for residential use, making similar residential additions prohibited in those cases. The subject property is similar in width to the majority of developed lots in the 200 block of South Alfred Street. The subject lot is smaller than the minimum size required for a single-family dwelling zoned CL, commercial low, it is also the narrow lot width of 21.17 feet which creates a hardship as to the side yard requirements.

3. Was the hardship caused by the applicant and, if so, how was it created? Or did the condition exist when the property was purchased and, if so, did the applicant acquire the property without knowing of the hardship; how was the hardship first created?

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Hardship was not created by the applicants or their predecessors.

4. Will the variance, if granted, be harmful in any way to any adjacent property or harm the value of adjacent and nearby properties? Will it change the character of the neighborhood?

The granting of the requested variance will not be detrimental to adjacent property or the neighborhood and will not alter the essential character of the area. The new additions will be screened by the neighbor's building. If the proposed variance is granted, the additions will not exceed the required floor area ratio and will meet the open space requirement. From the street the renovations to the house will be in character with similarly developed lots. From the vantage point of the neighbors on the north and south side, the new structure will be hidden by the neighboring buildings. Based upon the submitted plat, the proposed addition will align with the north wall of the adjacent building at 215 South Alfred Street. The side yard distances proposed, however, are common in the neighborhood for detached single and two-family homes.

5. Have alternate plans been considered so that a variance would not be needed?
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None that would meet the needs of the applicants.

6. Is any other official remedy available to relieve the hardship?
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No other remedy except a variance.

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STAFF: Barbara Ross, Deputy Director, and Peter Leiberg, Principal Planner, Department of Planning and Zoning

### **DEPARTMENTAL COMMENTS**

#### Transportation and Environmental Services:

- C-1 Change in point of attachment or removal of existing overhead utility services will require undergrounding or a variance. (Sec. 5-3-3)
- R-1 City Code Section 8-1-22 requires that roof, surface and sub-surface drains be connected to the public storm sewer system. Where storm sewer is not available applicant must provide a design to mitigate impact of storm water drainage onto adjacent properties and to the satisfaction of the Director of

Transportation & Environmental Services.

Code Enforcement:

- C-1 All exterior walls within 3 feet from an interior property line shall have a fire resistance rating of 1 hour, from both sides, with no openings permitted within the wall. As alternative, a 2 hour fire wall may be provided.
- C-2 Prior to the issuance of a demolition permit or land disturbance permit, a rodent abatement plan shall be submitted to Code Enforcement that will outline the steps that will taken to prevent the spread of rodents from the construction site to the surrounding community and sewers.
- C-3 Roof drainage systems must be installed so as neither to impact upon, nor cause erosion/damage to adjacent property.
- C-4 A soils report must be submitted with the building permit application.
- C-5 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-6 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-7 Construction permits are required for this project. Plans shall accompany the permit application that fully detail the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.
- C-8 Permission from adjacent property owners is required if access to the adjacent properties is required to complete the proposed construction. Otherwise, a plan shall be submitted to demonstrate the construction techniques utilized to keep construction solely on the referenced property.
- C-9 A wall location plat prepared by a land surveyor is required to be submitted to this office prior to requesting any framing inspection.

Recreation (Arborist):

- F-1 No trees are affected by this plan.



Historic Alexandria (Archaeology):

- F-1 A G.M. Hopkins insurance map indicates that a structure was present on this property by 1877. The demolition therefore has the potential to expose archaeological resources which have the potential to provide insight into domestic activities in nineteenth-century Alexandria.
- R-1 Call Alexandria Archaeology immediately (703-838-4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.) or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds.
- R-2 The above statement must appear in the General Notes of the site plan so that on-site contractors are aware of the requirement.

Other Requirements Brought to the Applicant's Attention:

- C-1 A wall check survey plat shall be submitted to Planning and Zoning when the building footprint is in place, pursuant to Alexandria City Code section 8-1-12.